

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Atty Dkt. 540-551

C# M#

KAYE



TC/A.U.

3725

Serial No. 10/525,063

Examiner: T. Bonk

Filed: February 18, 2005

Date: July 10, 2006

Title: METHOD AND TOOL FOR FORMING A BRACKET IN COMPOSITE MATERIAL
AND BRACKET**Mail Stop Non-Fee Amendment**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

RESPONSE/AMENDMENT/LETTER

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

☐ **Correspondence Address Indication Form Attached.**

Fees are attached as calculated below:

Total effective claims after amendment 9 minus highest number
previously paid for 20 (at least 20) = 0 x \$50.00 \$0.00 (1202)/\$0.00 (2202) \$

Independent claims after amendment 4 minus highest number
previously paid for 4 (at least 3) = 0 x \$200.00 \$0.00 (1201)/\$0.00 (2201) \$

If proper multiple dependent claims now added for first time, (ignore improper); add
\$360.00 (1203)/\$180.00 (2203) \$

Petition is hereby made to extend the current due date so as to cover the filing date of this
paper and attachment(s)
One Month Extension \$120.00 (1251)/\$60.00 (2251)
Two Month Extensions \$450.00 (1252)/\$225.00 (2252)
Three Month Extensions \$1020.00 (1253)/\$510.00 (2253)
Four Month Extensions \$1590.00 (1254)/\$795.00 (2254)
Five Month Extensions \$2160.00 (1255)/\$1080.00 (2255) \$

Terminal disclaimer enclosed, add \$130.00 (1814)/\$65.00 (2814) \$

☐ Applicant claims "small entity" status. ☐ Statement filed herewith

Rule 56 Information Disclosure Statement Filing Fee \$180.00 (1806) \$

Assignment Recording Fee \$40.00 (8021) \$

Other: \$

TOTAL FEE ENCLOSED \$ 0.00

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

901 North Glebe Road, 11th Floor
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SCS:kmm

NIXON & VANDERHYTE P.C.
By Atty: Stanley C. Spooner, Reg. No. 27,393

Signature: 



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

KAYE

Atty. Ref.: 540-551; Confirmation No. 5875

Appl. No. 10/525,063

TC/A.U. 3725

Filed: February 18, 2005

Examiner: T. Bonk

For: METHOD AND TOOL FOR FORMING A BRACKET IN COMPOSITE MATERIAL
AND BRACKET

* * * * *

July 10, 2006

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE

This is responsive to the Restriction Requirement mailed June 8, 2006 (Paper No. 05302006), the date of response to which is July 10, 2006 (July 8, 2006 falling on a Saturday).

Applicant elects the invention of Group I, i.e., claims 1-5, with traverse. Group I claims 1-5 are directed to a method for forming a bracket.

Applicant notes that because the present application is a U.S. national phase entry of the International PCT application, restriction practice under §121 is improper. Restriction practice only under the PCT rules is permitted and then it is proper only if the claims do not relate to a "single general inventive concept." Applicant traverses the restriction requirement because in each of Applicant's claims 1-9, a single inventive concept is expressed.

The Examiner will note that in Group I, claim 1, step (i), there is a recitation of "the blank having at least one fold line defining first and second regions of the blank, the fold line extending only partially across the blank." This identical language is present in Group II, independent claim 6 directed to the blank, Group III, independent claim 8 directed to a bracket made from the blank and Group IV, independent claim 9 directed to a tool for forming a bracket (note in claim 9, instead of a "fold line" the term "hinge" is utilized, but the structure is the same).

Thus, in each of the Groups I-IV, Applicant recites a single general inventive concept of a blank having a fold line (or hinge line) defining first and second regions with the fold line (or hinge line) extending only partially across the blank.

In view of the fact that Applicant's claims are directed to "a single general inventive concept," there is believed no basis for restriction practice under §372 (and any rejection under §121 is improper). Accordingly, while Applicant elects Group I, the election is with traverse and reconsideration of the restriction requirement is respectfully requested.

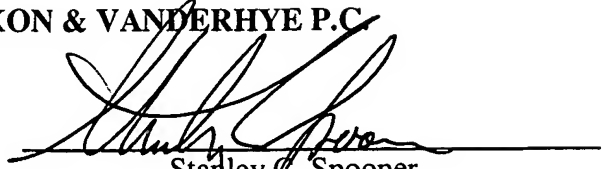
Having responded to all objections and rejections set forth in the outstanding Official Action, it is submitted that claims 1-9 are in condition for allowance and notice to that effect is respectfully solicited. In the event the Examiner is of the opinion that a brief telephone or personal interview will facilitate allowance of one or more of the above claims, she is respectfully requested to contact applicant's undersigned representative.

KAYE
Appl. No. 10/525,063
July 10, 2006

Respectfully submitted,

NIXON & VANDERHYE P.C.

By:



Stanley C. Spooner
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